

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

MICHAEL VONDETTE,)	No. CV 07-07296-DSF (VBK)
)	
Petitioner,)	ORDER (1) ACCEPTING AND ADOPTING
)	THE AMENDED REPORT AND
v.)	RECOMMENDATION OF THE UNITED
)	STATES MAGISTRATE JUDGE, AND (2)
UNITED STATES OF AMERICA, et)	TRANSFERRING THE PETITION
al.,)	
)	
Respondent.)	
)	
)	

Pursuant to 28 U.S.C. §636, the Court has made a de novo review of the "Emergency Petition by a Person in Federal Custody for Immediate Release Due to Violations of the United States Constitution Pursuant to 28 U.S.C. §1651(a) - All Writs Act" ("Petition"), Respondent's Motion to Dismiss or Transfer Petition, Petitioner's Opposition and Objections, all of the records herein and the Report and Amended Recommendation of the United States Magistrate Judge.

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1 **IT IS ORDERED** that: (1) the Court accepts and adopts the Report
2 and Recommendation, (2) Respondent's Motion to Transfer is granted; and
3 (3) the Petition is transferred to the United States District Court
4 for the Eastern District of New York.

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6 DATED: 12/1/08



8 DALE S. FISCHER
9 UNITED STATES DISTRICT JUDGE
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